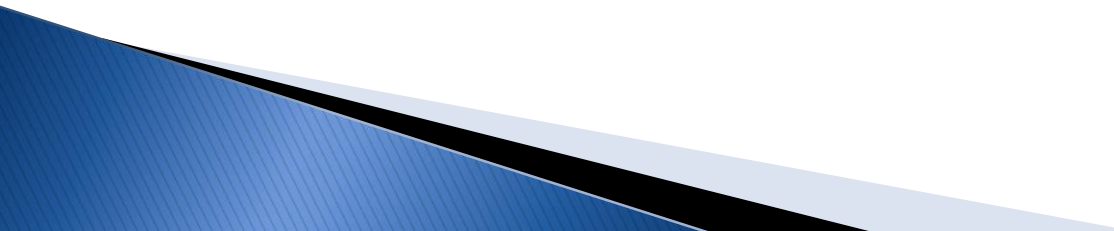


Election Day Preparation, Canvass, Recount and Contest

Lisa Blake, Elections Specialist
WV Secretary of State's Office

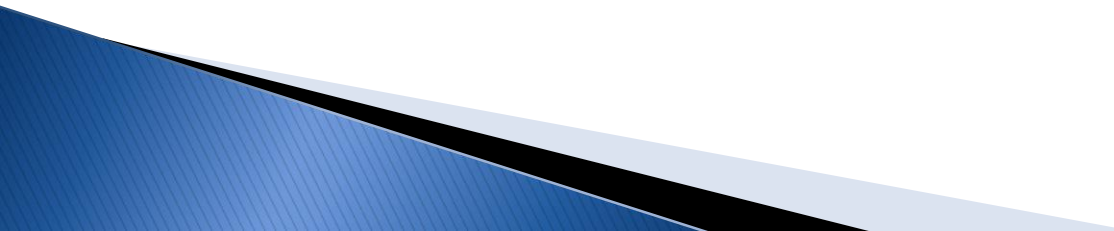
Election Day Preparation

- ▶ Hours
 - ▶ Election Day Supplies
 - ▶ Precinct Changes
 - ▶ Election Day Issues
- 

Polling Hours

- ▶ Polls open 6:30 am – 7:30 pm
- ▶ Can not be changed by ordinance


Who May Enter Polls

- ▶ A person entering to vote
 - ▶ A person providing assistance to an illiterate or disabled voter who cannot vote alone
 - ▶ The recorder or clerk, on official business only
 - ▶ The county clerk, county prosecutor, secretary of state, or full-time employees of those officials
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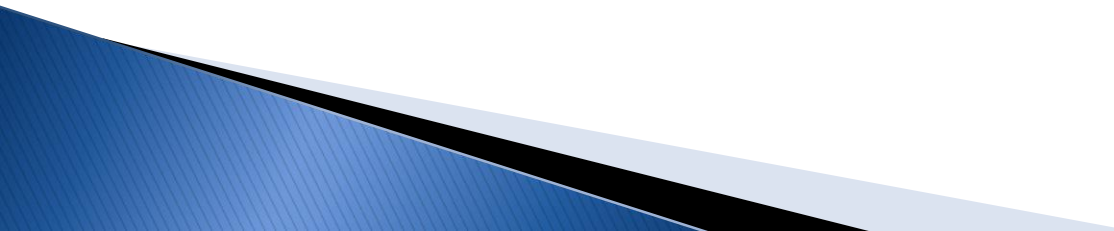
300-foot Campaign Free Zone

- ▶ No electioneering is permitted within 300 ft of the entrance door of the polling place.
- ▶ Anyone verbally campaigning, displaying or passing out campaign literature must be beyond the 300 ft area.
- ▶ Drivers may deliver voters within the 300 ft area, campaign signs (except bumper stickers) must be taken off before entering the area.
- ▶ Media with credentials may be within 300 ft area to interview voters coming and leaving polls. They may not campaign.

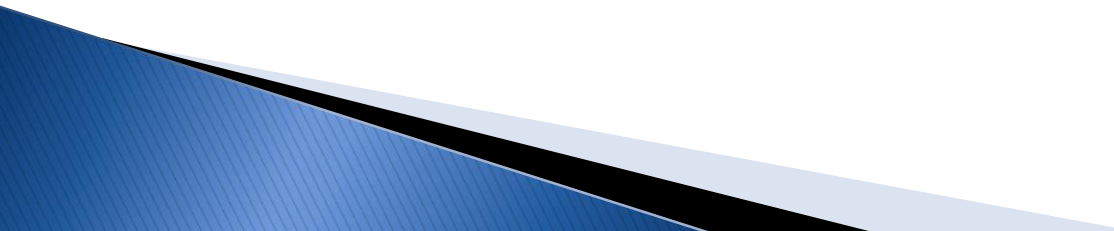
Election Day Supplies

- ▶ Computerized Poll Book
 - ▶ Paper Ballots
 - ▶ Ballot Boxes with locks
 - ▶ Voting Booths
 - ▶ Absentee and Early Voter List
 - ▶ Oath of Election Commissioners
 - ▶ 300 feet No Electioneering Sign
 - ▶ Handicap Sign
 - ▶ Polling Place Signs (voter instructions, official write-in candidates, sample ballots and voter information “card”)
- 

Election Day Supplies (cont)

- ▶ Assisted Voters Form and Envelope
 - ▶ Provisional Ballot Tracking Forms and Envelopes
 - ▶ Spoiled Ballots Envelope
 - ▶ Statement of Ballots Used
 - ▶ Election Expense Statement
 - ▶ Supply Receipt Certification
 - ▶ Waiting Voters Form
 - ▶ Ballot Stubs Return Envelope
- 

Precinct Changes

- ▶ 90 days prior to election – 30 day notice of precinct change (WV Code §3–1–7(b))
 - ▶ 60 days prior to election (emergency precinct change) (WV Code §3–1–7 (g))
 - ▶ Notice posted at old polling place
 - ▶ Letter to all voters affected by the change
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Election Day Issues

- ▶ The commissioners of election shall preserve order at and in the vicinity of the polls.

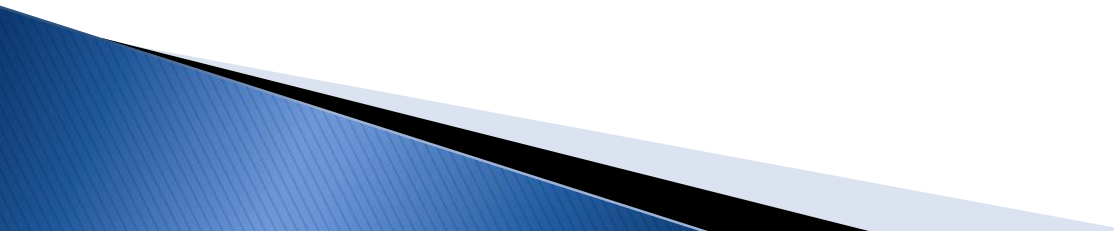
Canvass

- ▶ In the 2011 legislative session the code was changed for all canvasses in a primary election. The code now states that the canvass will convene on the fifth day following any primary election, which is not a Saturday, Sunday or legal holiday. (WV Code §3-5-17)
- ▶ The canvass for a general election shall convene on the fifth day (Sundays excepted). (WV Code §3-6-9)

Who conducts the Canvass

- ▶ The governing body of the municipality (town council handles the material; mayor and recorder are there only to observe and support if they do not have voting rights according to the charter or ordinance)
- ▶ Canvass is held at city hall.
- ▶ There must be a quorum to conduct the canvass. If there is not a quorum, then it must be rescheduled for when a quorum can be present.
- ▶ If the canvass can not be completed on the first day, it must be reconvened on every workday until it is completed.

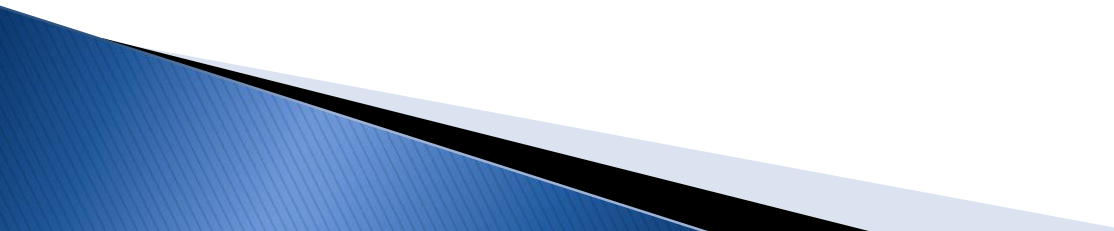
Conducting the Canvass

- ▶ The goal of the canvassing process is to balance the books. You are making sure all the numbers add up and every ballot is accounted for. In this process the votes for each office are not re-tallied and allegations of fraud are not heard.
 - ▶ The steps of a canvass are designed to create a record verifying that the ballots are properly accounted for, and to determine whether provisional ballots should be counted.
 - ▶ The board of canvassers may call and question the election officials from the precinct if necessary.
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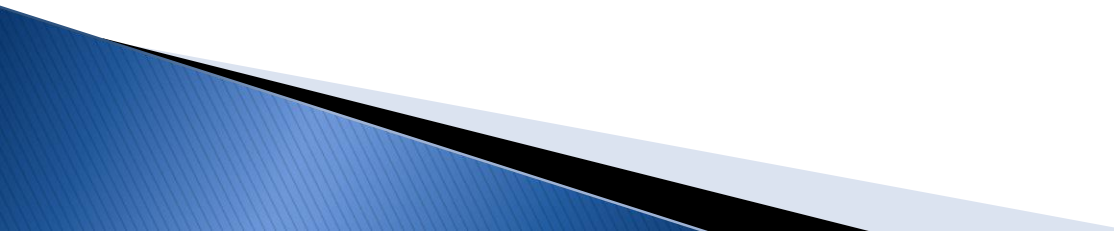
Completion of the Canvass

- ▶ After completing all required procedures, the board of canvassers declare the results and will set the bond for a recount.
- ▶ The bond can not exceed \$300.00

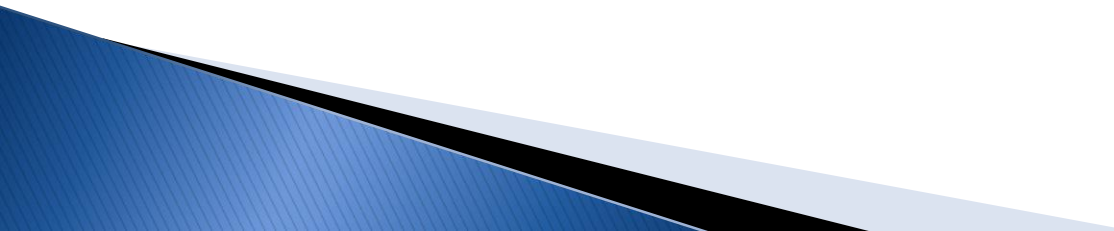
Recount

- ▶ A candidate that desires a recount must file a written request and post bond within 48 hours of declaring the results.
 - ▶ When a recount request is properly filed the board of canvassers has an additional 48 hours in which to send notice to all candidates.
- 

Recount (cont)

- ▶ If a candidate wants to preserve their right to continue the recount they must file a written request and post a bond within 24 hours of notice.
 - ▶ The recount can not be set for sooner than three days after serving the notice.
 - ▶ Only the votes for the race being recounted shall be tallied.
 - ▶ After a recount is finished that race shall be certified.
- 

Certification of Election Results

- ▶ Every race which is not subject to a recount request should be certified as soon as possible after the 48-hour period has passed.
 - ▶ If the results of any race within the election are tied, the tie shall be decided by lot then certified.
 - ▶ The certification of the election results shall be in both words and numbers.
 - ▶ Official Write-in candidates should be included on certification.
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Contest

- ▶ A losing candidate can contest certain matters in the election. A candidate may need to request and go thru recount before contest.
- ▶ A candidate that wishes to contest the results must file within 10 days following the certification of the results.
- ▶ The request for a contest must state a very specific reason(s).
- ▶ Contests are held by the governing body (municipal council) unless otherwise provided in WV Code §8-5-17.

Contest (cont)

- ▶ If an incumbent office-holder's election is at stake in a contest, that office-holder may not participate in contest proceedings for his/her particular race.